

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

COMMON CAUSE INDIANA;
INDIANA STATE CONFERENCE OF THE
NAACP,

Plaintiffs,)

V.)

Case No.: 1:20-cv-02007-SEB-TAB

CONNIE LAWSON, in her official capacity)
as the Indiana Secretary of State, PAUL)
OKESON, S. ANTHONY LONG,)
SUZANNAH WILSON OVERHOLT, and)
ZACHARY E. KLUTZ, in their official)
capacities as members of the)
Indiana Election Commission,)

Defendants.)

Defendants' Position Statement

Defendants submit the following position statement in compliance with Southern District of Indiana Local Rule 16-2:

1. The Seventh Circuit on November 4, 2020, issued the mandate for its decision summarily reversing the district court's injunction because recent decisions by the Seventh Circuit did not leave room for ongoing debate about the issue in this case.

2. Under Local Rule 16-2, “each party must file a statement of position as to what action the court should take in the case” after a case is remanded from the court of appeals. This Court ordered on November 10, 2020,

for the parties to confer with one another about the status of this litigation and the parties' intentions. [Dkt. 42].

3. The parties have conferred, and the defendants provide their position in accordance with Local Rule 16-2. The Seventh Circuit foreclosed any possibility of relief for the plaintiffs in this case. Accordingly, this case should be dismissed with prejudice.

WHEREFORE, Defendants, by counsel, submit this position statement to the Court.

Respectfully submitted,

OFFICE OF THE INDIANA ATTORNEY GENERAL

Date: November 25, 2020

By: Jefferson S. Garn
Section Chief, Administrative & Regulatory
Enforcement Litigation

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